

11 - 09 - 07

PATENT

Attorney Docket No.: 678-807 (P10026)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Yong-Jun KWAK et al. **GROUP ART UNIT:** 2616

SERIAL NO.: 10/079,723 **EXAMINER:** Mills, Donald L.

FILED: February 19, 2002 **DATED:** October 26, 2007

FOR: **DPCH MULTIPLEXING APPARATUS AND METHOD FOR
OUTER LOOP POWER CONTROL IN A W-CDMA
COMMUNCIATION SYSTEM**

Mail Stop
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313,1450
Attention: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND

Sir:

I. REFUND REQUEST

This is a request for a refund of a 2-month extension of time fees forwarded to the USPTO in connection with the above-identified application.

A copy of the postcard, check, and Fee Transmittal form is attached hereto.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

AMOUNT OF REFUND REQUESTED

- filing fee
- surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. §1.16(e))
 - and/or
- surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e))
- extension of term
- first month
- second month and
- third month \$900.00
- fourth month
- excess claims
- issue fee
- petition fee
- patent maintenance fee
- first maintenance fee
- second maintenance fee
- third maintenance fee
- patent maintenance fee surcharge
- other

TOTAL REFUND REQUESTED

\$ 900.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On September 10, 2007 a Notice of Appeal and Petition for Extension of Time was filed with a request for a 3-month extension for which payment of \$1,020.00 was included. The request for refund is now asserted because the Examiner failed to timely respond to a June 8, 2007 Amendment which was filed in response to a March 8, 2007 Office Action. Subsequently, on September 12, 2007, the Examiner issued an Advisory Action.

A copy the postcard, check, and Petition for Extension of Time form are attached hereto.

A refund in the amount of \$900.00 is respectfully requested.

IV. MANNER OF REFUND

Please make refund by

crediting Deposit Account No. 50-4053.

refunding payment.

Respectfully requested,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant(s)

Dated: October 26, 2007

THE FARRELL LAW FIRM
333 Earle Ovington Blvd. Suite 701
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(516) 228-3565 (tel)
PJF/EC/mk



Under the paper work Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)
FY 2005 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		678-807 (P10026)
Application Number 10/079,732		Filed February 19, 2002
For DPCH MULTIPLEXING APPARATUS AND METHOD FOR OUTER LOOP POWER CONTROL...		
Art Unit 2616		Examiner Mills, Donald L.

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ 1,020.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

Applicant claims small entity status. See 37 CFR 1.27.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number **50-4053**. I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

11/21/2007 MGEBREM1 00000002 10079723
02 FC:1251

20.00 OP

I am the applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

attorney or agent of record. Registration Number **33,494**

attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

9-10-07

Date

Paul J. Farrell

Signature

Typed or printed name

09/19/2007 (516) 228-3565 0000044 10079723

02 FC:1253 Telephone Number 1020.00 OP

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

Adjustment date: 11/21/2007 MGEBREM1
09/13/2007 0000044 10079723

02 FC:1253 -1020.00 OP

CERTIFICATION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 10, 2007

Emmanuel Coffy
Name/Number: 10079723
Date: 11/21/2007
Telephone Number: 1020.00 OP
Signature: Emmanuel Coffy
CR \$900.00